

REMARKS

This is in response to the Office Action mailed October 8, 2003. Claims 1, 3, 7-9, 11, 12, 14, 16-18, 20-21 and 34-45 are pending in the application. Claims 41-45 are withdrawn, claims 1, 3, 7-9, 11, 12, 14, 16-18, 20-21, 34-38 are allowed and claims 39-40 are rejected.

**Response to Claim Objections**

Withdrawn claims 42-45 were objected to on the basis of their dependency on claim 39. Withdrawn claims 42-45 have been amended to depend upon claim 41 and accordingly, reconsideration and withdrawal of the claim objections are respectfully requested.

**Response to Claim Rejections - 35 U.S.C. § 112**

Claims 39-41 were rejected under 35 U.S.C. § 112, second paragraph, as failing to set forth the subject matter which Applicants regard as the invention. Claims 39-41 have been amended to recite a bending assembly which is supported by Applicants' specification. Reconsideration and removal of the rejection under 35 U.S.C. § 112 are respectfully requested.

**Response to Claim Rejections - 35 U.S.C. § 102**

Claims 39-40 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chikazawa et al, U.S. Patent No. 5,313,352. Claims 39-40 have been amended to recite a bending assembly and a controller coupled to the bending assembly to adjust a roll attitude of a head based upon a radial position of the head which is not taught nor suggested by Chikazawa. Col. 5, lines 14-35 of Chikazawa disclose energization of piezo-electric elements for stiction control and do not teach or suggest the controller and subject matter as now claimed. Reconsideration and withdrawal of the rejection of claims 39-40 based upon Chikazawa are respectfully requested.

Claims 1, 3, 7-9, 11-12, 14, 16-18, 20-21, and 34-38 were indicated to be allowable. Allowance of claims 1, 3, 7-9, 11-12, 14, 16-18, 20-21, and 34-38 as amended is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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